IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

OP.No. 36376 of 2000(E)

PETITIONER:

RADHAMANI AMMA,
KURUPPAN MADATHIL HOUSE,
KURATTISERY VILLAGE,
MANNAR.

BY ADV. SRI.R.KRISHNA RAJ

RESPONDENTS:
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1. **REVENUE DIVISIONAL OFFICER,**
   CHENGANNUR.

2. **ASST. EXE. ENGINEER,**
   P.W.D ROAD SUB DIVISION,
   CHENGANNUR.

3. **CIRCLE INSPECTOR OF POLICE,**
   MANNAR.

*4. **K.K. SIVAN ACHARY, S/O. ANANTHAPPAN ACHARY,**
   THEKKUM THALIYIL HOUSE,
   KURATTISERY VILLAGE, MANNAR.

5. **UDAIKUMAR (UNNI), S/O. MANIKYAN ACHARY,**
   KOCHUKALLECKAL, KURUTTISSERY, MANNAR.

6. **HARIKUNJU, S/O. CHELLAPPAN ACHARY,**
   THEKKUM THALIYIL, KURUTTISSERY, MANNAR.

7. SATISAN, S/O. LATE MANI, NEDIYEZHATHU, KURATTISSERY, MANNAR.

8. KATHIRESAN, S/O. SIVAN ACHARY, THEKKUM THALIYIL, KURATTISSERY, MANNAR.

***ADDL. R4 TO R8 ARE IMPLEADED AS PER ORDER DATED 25/01/2007 IN CMP NO. 58131/2002.**

BY GOVERNMENT PLEADER SRI. P.A. SALIM
ADV. SRI.P.VINODKUMAR FOR ADDL. RESPONDENTS.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 25/01/2007 ALONG WITH WPC NO. 26339/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NOS: 61960/2000 AND 57668/2002 IN OP NO. 36376/2000 E.

DISMISSED

25/01/2007. **SD/- J.B.KOSHY, JUDGE.**
SD/- K.P.BALACHANDRAN, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE PHOTOGRAPH OF THE CONSTRUCTION.

EXT.P2. COPY OF THE PHOTOGRAPH OF THE CONSTRUCTION.

EXT.P3. COPY OF THE PHOTOGRAPH OF THE CONSTRUCTION.

EXT.P4. COPY OF THE PHOTOGRAPH OF THE CONSTRUCTION.

EXT.P5. COPY OF THE PHOTOGRAPH OF THE CONSTRUCTION.

EXT.P6. COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE R1 DT. 10/8/2000.

EXT.P7. COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE R2 DATED 10/8/00.

EXT.P8. COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE R3 DATED 10/08/2000.

[True Copy]

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J.B. KOSHY and K.P.BALACHANDRAN, JJ.

O.P. No.36376 of 2000 E &
W.P.(C) No.26339 of 2006 I

Dated this the 25th day of January, 2007

Judgment

Complaint of the petitioner is that petitioner's ingress and egress to the property are obstructed by the contesting respondents and they are further attempting to manhandle the petitioner and his family.

2. It is submitted by the Government Pleader that petitioner's ingress and egress to their house are not obstructed. Same is the stand taken by respondents 1 and 2. In the above circumstances, police is directed to give adequate protection to the petitioner and family and ingress and egress to the petitioner's house through the property mentioned in the petition unless respondent obtains Civil Court orders to the contrary and to get appropriate orders. If injunction order is violated by the respondents, petitioner will also be free to move the civil court and avail the remedies provided under the Code of Civil Procedure.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

vaa

J.B. KOSHY AND
K.P.BALACHANDRAN, JJ.

O.P.No.36376/2000 E and
W.P.(C)No.26339/2006 I

Judgment

Dated:25th January, 2007